

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Art Unit: 1625

CASSAYRE ET AL.

Examiner: AULAKH, CHARANJIT

U.S. APPLICATION NO: 10/581,176

Conf. No.: 1583

FILED: JANUARY 29, 2007

FOR: SPIROPIPERIDINE DERIVATIVES FOR CONTROLLING PESTS

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby voluntarily disclose the references listed on the attached Form PTO/SB/08a (01-10) to the Commissioner for Patents. Applicants request that the Examiner initial and return a copy of the enclosed Form PTO/SB/08a (01-10) and to indicate in the official file wrapper that each item has been considered.

The following summarizes the status of copies of listed information provided with the instant Supplemental Information Disclosure Statement:

- A copy of Items *Foreign Patent Document 1* and *Non-Patent Literature Documents 1-2* are attached hereto.

With the present Information Disclosure Statement, the Examiner is requested to review and consider the documents pending the granting of the corresponding Petition to Withdraw from Issue Pursuant to 37 CFR 1.313(c)(2) filed contemporaneously herewith. Specifically, applicants wish to draw the Examiner's attention to *Non-Patent Literature Document 2* (i.e., Taiwanese Examination Report) that issued in a counterpart Taiwanese patent application and commented on the novelty of claims 10, 11, and 12 in view of portions of *Foreign Patent Document 1* that was previously cited to the Office via the Information Disclosure Statement dated August 2, 2006. At this juncture, applicants cannot verify the accuracy of the translated portions of *Non-Patent Literature Document 2*. If additional information about this case is desired, the Examiner is asked to contact the undersigned.

Applicants reserve the right to establish the patentability of the claimed invention over any of the cited information and/or to prove that any purported teaching of the cited information is not enabled. Applicants also reserve the right to assert that the cited information is not available as a reference, is not prior art, and/or is not "material" to patentability. Applicants further reserve the right to assert that this citation of information does not constitute an admission of priority and/or does not constitute a waiver of any right Applicants may have under applicable statutes, Rules of Practice in patent cases, or otherwise.

This citation of information should not be construed as an admission that Applicants have an obligation to provide this information in the present application or as a representation that an exhaustive search has been made, that the information disclosed is material, that the information disclosed is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102, or that information more material to the examination of this Application does not exist. The order of presentation of information on the attached Form(s) SB/08 should not be construed as an indication of importance of the references.

The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment to account no. **09-0528**.

Respectfully submitted,

Date: December 3, 2010
Attorney Docket: 70314

/Mark D. Jenkins/
Mark D. Jenkins
Reg. No. 59,566
Attorney for Applicants
Womble Carlyle Sandridge & Rice, PLLC
Post Office Box 7037
Atlanta, Georgia 30357-0037
Telephone: (919) 484-2317
Facsimile: (919) 484-2096
Customer No.: 86344